

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

C.A. No. 04-10956-REK

ERNEST OGLETREE,

Plaintiff

v.

CITY OF ATTLEBORO, STURDY
MEMORIAL HOSPITAL, INC., JAMES G.
MACDONALD, DOUGLAS JOHNSON,
MICHAEL BARTUCCA, ROBERT ASTIN,
and LEWIS RHEAUME,

Defendants

JOINT SCHEDULING
STATEMENT PURSUANT
TO L.R. 16.1

Now come the defendants and hereby submit the following proposed Scheduling Statement pursuant to Local Rule 16.1(D):

I. DISCOVERY PLAN

The parties propose the following discovery plan:

- A. Automatic Document Disclosure to be completed on or about September 23, 2004;
- B. All written discovery shall be served on or before November 30, 2004, and shall be completed by February 28, 2005;
- C. Supplemental written discovery requests shall be served on or before May 31, 2005;
- D. All non-expert depositions are to be completed by May 31, 2005;
- E. Plaintiff's expert witnesses shall be designated by June 30, 2005 and defendants' expert witnesses shall be designated within thirty (30) days after plaintiff's disclosure;

DEFENDANT
CITY OF ATTLEBORO,

By their attorney,

/s/ Charles D. Mulcahy
Charles D. Mulcahy
Wynn & Wynn, P.C.
90 New State Highway
Raynham, MA 02767
(508) 823- 4567

DEFENDANTS
STURDY MEMORIAL HOSPITAL,
DOUGLAS JOHNSON,
MICHAEL BARTUCCA, and ROBERT ASTIN,

By its attorney,

/s/ Daniel J. Buoniconti
Daniel J. Buoniconti
Foster & Eldrige
955 Massachusetts Avenue
Cambridge, MA 02139
(617) 492-5800

F. All expert depositions shall be completed within thirty (30) days of defendants' expert designation.

II. MOTION SCHEDULE

All dispositive motions are to be filed on or before September 30, 2005.

III. ADR SCHEDULE

If the parties agree to submit this matter to alternative dispute resolution through the Court sponsored Mediation Program, they shall schedule mediation for a mutual agreeable time after the completion of discovery.

IV. CERTIFICATIONS

The parties will file L.R. 16.1 certifications of conferral on or before the date of the scheduling conference.

V. CONSENT TO TRIAL BY MAGISTRATE

The parties do not consent to trial of this matter before a magistrate judge.

PLAINTIFF,

DEFENDANT,
JAMES G. MACDONALD,

By its attorney,

By his attorneys,

/s/ Mark F. Itzkowitz
Mark F. Itzkowitz (BBO# 248130)
85 Devonshire Street
Suite 1000
Boston, MA 02109
(617) 227-1848

/s/ Sarah N. Turner
Joseph L. Tehan, Jr. (BBO# 494020)
Sarah N. Turner (BBO #654195)
Kopelman and Paige, P.C.
31 St. James Avenue
Boston, MA 02116
(617) 556-0007

CERTIFICATE OF SERVICE
I hereby certify that a true copy of the
above document was served upon the
attorney of record for each other party
by mail on 9/3/04
